

United States District Court

for the

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DEC 10 2014

SEAN F. McAVOY, CLERK  
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YAKIMA, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Ismael Cardenas

Case Number: 0980 2:12CR02026-LRS-1

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko

Date of Original Sentence: September 6, 2012

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm,  
18 U.S.C. § 922(g)(1)

Date Supervision Commenced: December 16, 2013

Original Sentence: Prison - 27 M  
TSR - 36 M

Date Supervision Expires: December 15, 2016

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**PETITIONING THE COURT**

To remove the modified condition of supervision:

16 Defendant shall participate in the following home confinement programs:

**Electronic Monitoring:** The Defendant shall participate in a program of electronically monitored home confinement. The Defendant shall wear, at all times, an electronic monitoring device under the supervision of U.S. Probation. In the event the Defendant does not respond to electronic monitoring or cannot be found, the U.S. Probation Office shall forthwith notify the United States Marshals' Service, who shall immediately find, arrest and detain the Defendant. The Defendant shall pay all or part of the cost of the program based upon ability to pay as determined by the U.S. Probation Office.

**Home detention:** Defendant shall be restricted to his residence at all times except for: employment; attorney visits; court appearances; case-related matters; court-ordered obligations; or other activities as pre-approved by the Pretrial Services Office or supervising officer, including but not limited to religious services, medical necessities, substance abuse testing or treatment, or mental health treatment.

**CAUSE**

On October 8, 2014, U.S. Magistrate Judge James Hutton ordered a condition of electronic monitoring/home detention pending his supervised release revocation hearing. Mr. Cardenas' revocation hearing is scheduled for April 23, 2015, for an alleged violation of fourth degree assault/domestic violence on October 6, 2014.

During a motion hearing held on November 20, 2014, United States Probation Officer Jose Zepeda requested the electronic monitoring requirement be removed, once Mr. Cardenas enrolled in anger management counseling and drug and alcohol treatment. This officer assumed supervision of Mr. Cardenas' case on November 21, 2014.

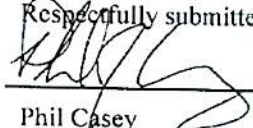
Prob 12B

**Re: Cardenas, Ismael**

**December 9, 2014**

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Mr. Cardenas provided verification from Northwest Behavioral Modification Clinic, showing he starts intensive outpatient treatment on December 9, 2014, and started domestic violence counseling on December 8, 2014. Due to Mr. Cardenas making positive strides, by starting treatment, this officer respectfully requests the electronic monitoring/home detention condition of release be removed.

Respectfully submitted,  
by   
Phil Casey  
U.S. Probation Officer  
Date: December 9, 2014

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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

12/10/14  
Date